

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

TIAR McCART,)	
)	Civil Action No.
Plaintiff,)	1-21-cv-04247-CAP-LTW
)	
v.)	JURY TRIAL DEMANDED
)	
EQUITY PRIME MORTGAGE,)	
LLC AND MARK MOLOUGHNEY)	
in his Individual Capacity)	
)	
Defendants.)	

JOINT MOTION TO EXTEND DISCOVERY

Plaintiff Tiar McCart and Defendants Equity Prime Mortgage, LLC and Mark Moloughney (collectively the “Parties”) jointly move this Court to extend the discovery period for sixty days, through and including June 28, 2024, showing the Court as follows:

1. The discovery period is currently scheduled to end on April 30, 2024.
2. The parties completed the deposition of Seth Kreiner on April 11, 2024, and were scheduled to complete the deposition of Eddy Perez on April 12, 2024. However, the day before Mr. Perez’s deposition he experienced a family medical emergency that necessitated the deposition be rescheduled. The parties intend to complete Mr. Perez’s deposition in May 2024.

3. Additionally, the parties are currently working together to resolve a discovery dispute related to certain documents identified during Mr. Kreiner's deposition that have not yet been produced in this matter. The parties intend to use the month of the requested discovery extension to allow Defendant to complete a search for these records in an attempt to resolve this dispute.

4. However, if the parties determine the dispute is unresolvable, the Plaintiff will need to file a spoliation motion. Plaintiff's counsel is currently scheduled for trial beginning on Monday, June 3, 2024. Therefore, the parties will use the second month of the requested discovery extension to prepare and respond to the spoliation motion, if it becomes necessary.

5. The parties agree this extension is necessary and appropriate.

WHEREFORE, the parties request that the Court grant their Joint Motion to Extend Discovery through and including June 30, 2024, extending the deadline for filing dispositive motions through and including July 31, 2024, and that all other deadlines be extended accordingly. A proposed order is attached for the Court's convenience.

Respectfully submitted this 30th day of April, 2024.

LEGARE, ATTWOOD & WOLFE,
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CERTIFICATE OF SERVICE

I hereby certify that on April 30, 2024, I electronically filed the foregoing **JOINT MOTION TO EXTEND DISCOVERY** with the Clerk of Court using the CM/ECF System, which will automatically generate an email notification of such filing to the following attorney(s) of record:

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